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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

THE TORONTO-DOMINION BANK,

Plaintiff,

v.

PLAID INC.,

Defendant.

Civil Action No. 1:20-cv-14424-RMB-AMD

**JOINT STIPULATION EXTENDING
TIME TO ANSWER, MOVE, OR
OTHERWISE RESPOND TO
COMPLAINT**

Plaintiff The Toronto-Dominion Bank (“TD”) and Defendant Plaid Inc. (“Plaid,” and together with TD, the “Parties”), hereby agree and stipulate that good cause exists to request an order from the Court extending Plaid’s time to respond to the Complaint.

WHEREAS, on October 14, 2020, TD filed a Complaint for Trademark Counterfeiting, Trademark Infringement, False Designation of Origin, False Advertising, and Unfair Competition under the Lanham Act, 15 U.S.C. § 1051, *et seq.* and New Jersey statutory and common law.

WHEREAS, the Complaint was served on Plaid on October 16, 2020.

WHEREAS, Plaid's response to the Complaint was originally due on November 6, 2020.

WHEREAS, on November 4, 2020, the Honorable Magistrate Judge Joel Schneider entered a stipulated order extending Plaid's deadline to respond to the Complaint to December 7, 2020.

WHEREAS, in view of the holidays and exploratory settlement discussions, the Parties filed a stipulation extending Plaid's deadline to respond to the Complaint to January 29, 2021, which the Court granted.

WHEREAS, the Parties continued to engage in settlement discussions, and filed stipulations extending Plaid's deadline to respond to the Complaint to April 14, 2021, which the Court granted.

WHEREAS, over the past week, the Parties have advanced in their discussions regarding resolution of the entire case, including exchanges of a full, formal written settlement agreement over the weekend and continuing into this week.

WHEREAS, as the Parties informed Ms. Alexis Shaw in a courtesy call of April 13, 2021, they would like to continue to focus their efforts on resolving the matter, rather than turning to additional pleadings in this case.

WHEREAS, based on the Parties' progress, and in the interest of efficiency and judicial economy, good cause exists to defer Plaid's response deadline by another two weeks, to April 28, 2021. The Parties will advise the Court promptly if they have reached resolution of the matter.

WHEREAS, this is the sixth extension of time requested by the Parties in this action, and the requested extension will not affect any other dates or deadlines in the case.

NOW, THEREFORE, the Parties, subject to Court approval, hereby stipulate as follows:

1. Plaid's obligation to answer, move to dismiss, or otherwise respond to the Complaint is extended until April 28, 2021;

2. Nothing in this stipulation shall be construed as a waiver of any party's rights or positions in law or equity, or as a waiver of any defenses that Plaid would otherwise have to the Complaint, including, without limitation, jurisdictional defenses.

IT IS SO STIPULATED.

Dated: April 14, 2021

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER LLP

By: /s/ Douglas Rettew

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*Attorneys for Plaintiff The Toronto-Dominion
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Dated: April 14, 2021

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Attorneys for Defendant Plaid Inc.

[PROPOSED] ORDER

Pursuant to stipulation, **IT IS SO ORDERED.**

DATED: _____, 2021

HONORABLE MATTHEW J. SKAHILL
UNITED STATES MAGISTRATE JUDGE

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